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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/902,986	
	Filing Date	09/11/2001	
	First Named Inventor	SHARIF	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	13	Attorney Docket Number	UNICA-PPA2

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Copy of Change of Addr. Notice
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Copy of Decision
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3. Copy of Decl. for Pat. Appl.
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		4. Copy of Decl. of Robert Buckley
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		5. Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert Buckley Reg. No. 33,657
Signature	Robert Buckley
Date	01/09/2003

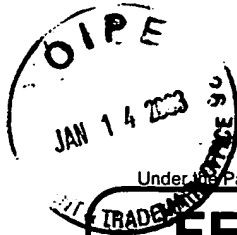
CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 01/09/2003			
Typed or printed name	Robert Buckley	Date	01/09/2003
Signature	Robert Buckley		

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PTO/SB/17 (01-03)

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)270

Complete if Known

Application Number

09/902, 986

Filing Date

07/11/2001

First Named Inventor

SHARIF

Examiner Name

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Art Unit

Attorney Docket No.

UNIQA-PPAZ

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) <u>—</u>

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>		=
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent	<input type="text"/>				<input type="text"/>	=	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) <u>—</u>

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	<u>65</u>
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	<u>205</u>
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)270

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Robert BuckleyRegistration No.
(Attorney/Agent)33657

Telephone

925-447-4990

Signature

Robert Buckley

Date

01/09/2003**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing
OR
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	UNIQA-PPA2
First Named Inventor	SHARIF
COMPLETE IF KNOWN	
Application Number	09 / 902,986
Filing Date	07/11/2001
Art Unit	
Examiner Name	

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

WEB BROWSER IMPLEMENTED IN AN INTERNET APPLIANCE

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the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 07/11/2001

as United States Application Number or PCT International

Application Number 09/902,986 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

COPY

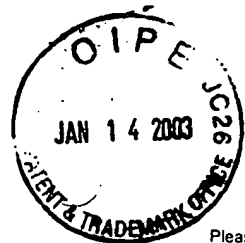
DECLARATION

PAGE 2 OF 3

U.S. PATENT APPLICATION, SER. NO. 09/902,986, FILED 07/11/2001
FOR "WEB BROWSER IMPLEMENTED IN AN INTERNET APPLIANCE"
ATTORNEY DOCKET NO. UNIQA-PPA2

THE JOINT-INVENTORS ARE:

IMRAN SHARIF, MILPITAS, CA
JOHN BREMSTELLER, CARROLLTON, TX
GLEN EDWARD IVEY, FORT BRAGG, CA
WILLIAM KNAPP, SAN JOSE, CA



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PTO/SB/02A (11-00)

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DECLARATION

ADDITIONAL INVENTOR(S)

Supplemental Sheet

Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
GLEN EDWARD		IVEY	
Inventor's Signature <i>[Signature]</i>		Date 6/9/02	
Residence: City	FORT BRAGG	State	CA
		Country	USA
Citizenship USA			
Mailing Address 27901 HIGHWAY 20			
Mailing Address			
City	FORT BRAGG	State	CA
		ZIP	95437
		Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Citizenship			
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Citizenship			
Mailing Address			
Mailing Address			
City		State	
		ZIP	
		Country	

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U.S. PATENT APPLICATION, SER. NO. 09/902,986



Paper No. 10

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ROBERT BUCKLEY
PATENT ATTORNEY
PO BOX 2520
MENLO PARK CA 94026-2520

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SEP 12 2002

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In Application of :
Sharif, et al. :
Application No. 09/902,986 :
Filed: July 11, 2001 :
Attorney Docket No. UNIQA-PPA2 :
Title: WEB BROWSER IMPLEMENTED IN :
AN INTERNET APPLIANCE :

DECISION REFUSING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the "Response to Decision Refusing Status, and Petition for 3-Month Extension of Time to Respond", filed July 22, 2002, which is being treated as a renewed petition under 37 CFR 1.47(a).

The renewed petition under 37 CFR 1.47(a) is **DISMISSED**.

Rule 47 applicant is given **TWO MONTHS** from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **Failure to respond will result in abandonment of the application.** Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed on July 11, 2001. On August 24, 2001, petitioner was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted," requiring an executed oath or declaration and a surcharge for its late filing. This Notice set a two-month period for reply.

On January 24, 2002, petitioner filed the a petition under 37 CFR 1.47 and paid the surcharge for late filing of the declaration. To make timely this reply, applicant obtained a two month extension of time. Accompanying the petition was a declaration by April Yin, detailing the facts concerning co-inventors Bremsteller's, Knapp's, and Ivey's refusal to sign the declaration.

However, this petition was dismissed in a decision mailed on April 17, 2002, because with respect to Ivy, no copy of Ivy's written refusal (mentioned in the petition) was supplied as required by MPEP 409.03(d). Petitioner was successful in meeting the requirements of a grantable petition under 37 CFR 1.47(a) with respect to non-signing inventors Bremsteller and Knapp.

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Petitioner demonstrated that copies of the application papers were submitted to these two inventors, and that as of the date of the decision, no executed oath or declaration from them had been received.

On renewed petition, petitioner has supplied a declaration executed by inventor Ivey. Therefore, petitioner argues that the issues raised in the April 17, 2002 dismissal are now moot.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached after diligent effort or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, drawings, oath or declaration); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Rule 47 applicant has not met requirement (2) above.

As to requirement (2), the declaration submitted with the petition does not comply with 37 CFR 1.63. Inventor Glen Edward Ivey has not signed a declaration that identifies the other joint inventors. Regarding this, the MPEP states:

While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity. Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration. For example, where the inventive entity is A and B, a declaration may not be executed only by A naming only A as the inventor and a different declaration may not be executed only by B naming only B as the inventor, which two declarations are then combined into one declaration with a first page of boiler plate, a second page with A's signature, and a second page with B's signature (so that it appears that the declaration was executed with the entire inventive entity appearing in the declaration when it did not).¹

Here, the page of the declaration with Ivey's signature only identifies Ivey as the inventor. On renewed petition, petitioner must submit an oath or declaration in compliance with 37 CFR 1.63.

Petitioner submitted a fee in the amount of \$460 for a three month extension of time to respond to the dismissal dated April 17, 2002. However, as petitioner included a Certificate of Mailing dated July 15, 2002, only a one month extension of time was needed to respond to the April 17, 2002 dismissal.²

¹ MPEP 201.03(B).

² The April 17, 2002 dismissal set a period for response of two months. Therefore, the last day petitioner could have responded without an extension of time would have been June 17, 2002.

Accordingly, the \$405 difference between the three month extension of time (\$460) obtained and the one month extension of time (\$55) that was required will be refunded to petitioner under separate cover.

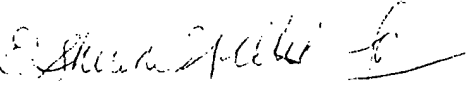
Further correspondence with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

By FAX: (703) 308-6916
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23
2201 S. Clark Place
Arlington, VA

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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